

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FUNCTION MEDIA, L.L.C.

Plaintiff,

v.

GOOGLE, INC. and YAHOO!, INC.,

Defendant.

Civil Action No. 2:07-CV-279-CE

JURY DEMANDED

JOINT MOTION TO FURTHER EXTEND DEADLINE TO SUBMIT PROTECTIVE ORDER

Come now Plaintiff Function Media, L.L.C. and Defendants Google, Inc. and Yahoo!, Inc. and file this Joint Motion to Extend Deadline to Submit Protective Order, and in support of same would show the Court as follows:

I.

The current deadline to submit an agreed protective order in this case is March 5, 2008 (Dkt. No. 47). The parties have been conferring and working together to attempt to reach agreement on a protective order in this case. However, the parties have not yet reached agreement. Accordingly, the parties respectfully request a further extension of this deadline to and including March 14, 2008.

This Motion is not sought for delay, but that justice might be done.

Dated: March 5, 2008

Respectfully submitted,

By: /s/ Joseph S. Grinstein (by permission)
S. Calvin Capshaw
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
Brown McCarroll, L.L.P.
1127 Judson Road, Suite 220
Longview, TX 75601
Telephone: (903) 236-9800
Facsimile: (903) 236-8787
Email: capshaw@mailbmc.com
Email: ederieux@mailbmc.com

Max L. Tribble, Jr.
State Bar No. 20213950
Joseph S. Grinstein
State Bar No. 24002188
Susman Godfrey, LLP
1000 Louisiana, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9366
Facsimile: (713) 654-6666
E-mail: mtribble@susmangodfrey.com
E-mail: jgrinstein@susmangodfrey.com

Nicholas F. Daum
State Bar No. 236155
Susman Godfrey, LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
E-mail: ndaum@susmangodfrey.com

Charles Ainsworth
Parker Bunt & Ainsworth
100 E Ferguson, Suite 1114
Tyler, TX 75702
Telephone: (903) 531-3535
Facsimile: (903) 533-9687
Email: charley@pbatyler.com

Franklin Jones, Jr.
Jones & Jones
201 W Houston Street
P.O. Drawer 1249
Marshall, TX 75670
Telephone: (903) 938-4395
Facsimile: (903) 938-3360
Email: maizieh@millerfirm.com

Robert Christopher Bunt
Parker, Bunt & Ainsworth, P.C.
100 East Ferguson, Ste. 1114
Tyler, TX 75702
Telephone: (903) 531-3535
Facsimile: (903) 533-9687
Email: rcbunt@pbatyler.com

ATTORNEYS FOR PLAINTIFF
FUNCTION MEDIA, L.L.C.

By: /s/ Thomas B. Walsh, IV
Juanita R. Brooks - Lead Attorney
(CA SBN 75934)
E-mail: brooks@fr.com
Jason W. Wolff
(CA SBN 215819)
E-mail: wolff@fr.com
Fish & Richardson P.C.
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

Thomas B. Walsh, IV
Texas Bar No. 00785173
E-mail: walsh@fr.com
Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, TX 75201
Telephone: (214) 747-5070
Facsimile: (214) 747-2091

Harry L. Gillam, Jr.
Texas Bar No. 07921800
E-mail: gil@gillamsmithlaw.com
Melissa R. Smith
Texas Bar No. 24001351
E-mail: melissa@gillamsmithlaw.com
GILLAM & SMITH, L.L.P.
303 South Washington Avenue
Marshall, TX 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

ATTORNEYS FOR DEFENDANT AND
COUNTER-CLAIMANT
GOOGLE INC.

By: /s/ Douglas E. Lumish (by permission)

David J Healey

Weil Gotshal & Manges- Houston

700 Louisiana, Suite 1600

Houston, TX 77002-2784

Telephone: (713) 546-5000

Facsimile: (713) 224-9511

Email: david.healey@weil.com

Douglas E Lumish

Weil Gotshal & Manges- Redwood Shores

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Telephone: (650) 802-3000

Facsimile: (650) 802-3100

Email: doug.lumish@weil.com

ATTORNEYS FOR DEFENDANT
YAHOO!, INC.

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 5th day of March, 2008, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Thomas B. Walsh, IV

Thomas B. Walsh, IV